

***Village of Barrington
Zoning Board of Appeals
Minutes Summary***

Date: August 5, 2003

Time: 7:00 p.m.

Location: Village Board Room
200 South Hough Street
Barrington, Illinois

In Attendance: Robert Henehan, Acting Chairperson, ZBA
Ryan Julian, ZBA
Bruce Kramer, ZBA
Peg Moston, ZBA

Staff Members: Jeff O'Brien, Planner/Zoning Coordinator
Keith Sbiral, Senior Planner

Call to Order

Robert Henehan, acting as Chairperson, called the meeting to order at 7 p.m. Roll Call noted the following: Patricia Pokorski, Chair, absent; Ryan Julian, present; Bruce Kramer, present; Peg Moston, present; Victoria Perille, absent; Ralph Bartlett, absent; and Robert Henehan, present. There being a quorum established, the meeting proceeded.

Chairperson's Remarks

None

Old Business

None

New Business

Public Hearings.

ZBA 03-05 Koenen Residence (516 Lageschulte Street)

Petitioners: Chris and Debbie Koenen

Those speaking for the case were sworn in by Mr. Henehan.

Mr. Koenen stated that their home was built in 1953, and currently encroaches by 7.44 inches on the side and the SE corner encroaches by 1 foot, 6 inches over the setback. Mr. Koenen stated that he has informed all of his neighbors in a letter, which he presented. He also passed out copies of a letter received from a neighbor. Mr. Koenen stated that they would like to take the house and make it more architecturally appealing. Then he showed pictures of neighboring homes and the corners of their home that are over the setback. He showed the current architectural drawing of the house and sketch of what they would like to do with the home.

Mr. Henehan asked if they would be putting additions onto the second floor.

Mr. Koenen said yes. He said that they would have to do considerable engineering to support the walls on the sides that they want to built on. Mr. Koenen said other homes have the privilege of building their walls straight up, which is what they would like to do. He stated that if they do have to move the walls in, it will affect their retail value because it will not look like the type of colonial they want to build. Building the walls up at about a 45 degree angle creates possibility of leaking and could cause damage to house.

Staff Report: Mr. O'Brien read the letter that the Koenens presented from neighbors, stating their approval of the Koenen's request. The Koenens will be going over the existing footprint (6'4" from the side lot line on the North

where 7' are required, and 28 ½' on the front, East, where 30 feet are required). The proposed plans indicate the house will be at a height of 22 ½', which meets the zoning code. The petition meets the daylight plane regulation.

Mr. O'Brien stated that the 2nd story will not encroach on the neighbors' yard any more than the existing structure does.

Mr. O'Brien went over the variation standards. He noted that *staff recommends denial of request*.

Mr. Henahan stated that the house was nonconforming because the codes have changed over the years.

Ms. Moston said they had another similar case that was 6 inches into the front and less than 1 inch on the side. When you ask owners to make changes you are sacrificing architectural aesthetics. Ms. Moston thought this was a small amount of space and thought the request should be considered.

Mr. Julian stated that he agrees with Ms. Moston on this issue. He stated that the home is on a cul-de-sac and thinks that this is a reasonable request.

Mr. Kramer agrees with them also. He believes this is a minimal change, positive movement.

Mr. Henahan stated that the ZBA had similar cases over the years. He believed that is not as egregious an encroachment as widening the encroachment because they are building straight up.

Mr. Sbiral went through the staff's findings of fact.

Mr. Henahan believes that petitioners will face rain and ice problems on the second floor. On the requirement regarding unique physical condition, he thinks it would be difficult to build without any further encroachment.

Mr. Julian agreed with staff that the home was built under prior zoning rules so to some extent it was not self-created. He said it is a fairly broad cul-de-sac so it is not as big of a concern if there were less space.

Mr. Henahan discussed #3 and #5 and said he believes the variation would increase the value of the property. He said none of the neighbors opposed it so they must not consider it an encroachment. He does not think it would diminish neighboring property rights.

Ms. Moston said that the findings should state that the ZBA feels this request is reasonable.

Mr. Henahan stated that the petitioners think this is the minimum measure of relief because there would be great difficulty in building within the zoning's regulations.

Mr. Kramer motioned to accept petitioner's variation request and adopt finding of fact by ZBA. Ms. Moston seconded.

Kramer-yes

Moston-yes

Julian-yes

Henahan-yes

Motion carries 4-0

Petition will go to the Board of Trustees.

ZBA 03-06 Palmer Residence (808 Harriet Lane)

Applicant: Dan Frommeyer, representing Mr. and Ms. Palmer

Mr. Henahan swore in those speaking for this case.

Mr. Frommeyer said the original petition was filed in January and the ZBA denied that petition. There were vague discussions about alternatives to the variations, but no analysis or plans for alternatives. Mr. Frommeyer stated that he sent a letter regarding a new petition and Mr. Jim Wallace approved the new petition, noting that the loss of trees was new information that should be considered and that the reduction of the overhang was new information also. After receiving permission to file a new petition, the staff asked the Palmers to talk with their architect and design alternative plans presented as Exhibit F. A new petition filed on July 14, contains architectural plans (Exhibit C), proposed addition (E), other designs (F), a zoning setback table (J), letters of support from neighbors (Schedule K), letters from real estate professionals (L), and appraisal letters (M).

Mr. Frommeyer summarized the new petition. There is a practical difficulty in this case; if they adhere to zoning codes there will be great destruction of trees. The property has a unique situation in that the structure at the west end is 7.6 feet from the lot line. On the East side of the property there is a slope that assists in drainage and the house is located where it is so as not to damage this drainage. The mature trees located on the property were planted prior to petitioners' purchasing house. If the Palmers' case is denied, they are denied substantial rights. Mr. Frommeyer said it would not be a special privilege to the Palmers. Mr. Frommeyer stated that there is no other practical or reasonable remedy to constructing the 2 car garage. This will be shown by Mr. Muran. Mr. Frommeyer stated that the variation as requested is the minimum required variation that is needed for a 2 car garage and is the least intrusive proposal. Exhibit I shows depiction of 2 garages, which would be improvement of the garage from the property owner to the left's garage. The Zoning Ordinance allows a detached garage. The total distance between garages would be 12 feet. The variation is in keeping with the integrity and character of the neighborhood. All neighbors except Mr. Dowling approve of this variation. Mr. Frommeyer stated that at the last meeting there was discussion on having a restriction on construction of garage in lieu of having this variation. Mr. Frommeyer thinks this is a reasonable consideration. The Palmers' are willing to have restricted covenant against property if the variance is granted. Exhibit I depicts location of garages across from one another. They are willing to do the following if they grant ordinance. The petitioners will construct a garage with length that will not exceed the length of the neighbor's garage. The village encourages petitioners to review matters with neighbors before coming to board. They met with neighbors several times and said that through these discussions and the issue of Exhibit F7 came up as an alternative. None of the neighbors objected to F7, which would require a greater variation. If petition is not granted they would appreciate consideration of F7.

Mr. Muran, architect, went through the exhibits. He started with Exhibit F1 and noted problems with this design because of entrance to the house and drainage issues with neighbor to east. This plan would require greater variance and interrupts sightlines. Exhibit F2 shows the garage in the same location without variation, but it destroys bedrooms, creates a drainage issue to the East. Exhibit F3 shows a tandem garage and eliminates the existing family room, sunroom access would also be compromised. This design is inconsistent with the rest of neighborhood and presents a marketability hardship. Exhibit F4 presents a 2 car garage without a variance, but it is impractical because part of the new garage would be inside existing living space. It requires structural redesign of floor and ceiling design and complicates window situation and would result in a loss of trees. Exhibit F5 shows a detached garage in NE corner, but it eliminates trees. This proposal would meet setback requirements. There is a design problem for getting into and out of garage. F6 presents a detached garage in NW corner that compromises trees, sightlines to the north and east are compromised, and there is a large driveway. F7 presents a loss of trees in front and produces a sightline issue. Exhibit E, the proposal, presents an expansion of existing garage to West.

Mr. Henahan asked about plans for a 3-car garage because a 2-car garage is only a temporary solution.

Mr. Muran said his objection to a 3-car garage is massiveness to the front of house.

Ms. Moston said that last time they were presented, this was 1 foot from neighbors and asked if this proposal was 3 feet from the property line.

Mr. Sbiral said the overhang has changed, but the distance of the wall hasn't changed.

Staff Report: Mr. Sbiral said Ms. Pokorski submitted a letter, which he read for the record. Ms. Pokorski's letter stated that she had been contacted by the petitioner and declined to speak with them outside of the forum of the ZBA and she felt it was important that this information be announced for the record. He noted that staff would request

continuation if the ZBA requests the petitioner present at Exhibit F7 as their proposal so staff can review it. Mr. Sbiral went over the petitioners' request and presented the staff report. He noted that staff believes there is significant impact to other properties and *recommends denial of the proposed variation request*.

Mr. Kramer asked if structurally, reduction of eave is the only change to the plan from the original plan.

Mr. Sbiral said yes.

Mr. Geoff Dowling, 129 South Glendale

Mr. Dowling stated that the variance is 8 feet out of 10, an 80% increase, and that constitutes a zoning change. He does not believe that the lack of a 2 car garage is a hardship. He stated that a lot of homes in the area do not have 2 car garages. Mr. Dowling noted that the petitioner came up with 7 alternatives and that in order to prove that you need a variance there should be no other alternatives. The exhibits (F1 and F7) show there is no difference in the variance request whether it is on the front or the side. He stated that with the detached garage in back the biggest concern is the trees. Mr. Dowling noted that there is a big concern with drainage for the neighbor to the East. He noted that attached solution (F2) shows that the petitioner does not want to rework the existing floor plan. He noted that Exhibit F3 displays the existing garage is 1 and ½ car garage, but Mr. Dowling believes it looks like it doubled. Mr. Dowling questions why F4 is not satisfactory. He said the petitioner argues it compromises access to their dining room access and cause the loss of a spruce and bookshelves and they don't need to widen the driveway. Mr. Dowling questions the minimal requirement variation. Exhibit F1 negatively affects drainage to neighbors and is not in keeping with the Zoning Ordinance and the character of the neighborhood. In regards to the statement about distance between residences, Mr. Dowling stated that he would have a 9-foot change, and the Palmers would have a 7-foot change. He believes this issue is a precedent. The issue of neighbors is a big concern. No one can dispute the marketability of his home if the distance between the properties is reduced and he does not want to lose that. Mr. Dowling noted that one other alternative would be for the Palmers to move. If the existing home does not meet the petitioners needs, they should move to another property.

Mr. Bob Crumrine, 814 Harriet Lane

Mr. Crumrine said he will have a drainage problem and tree problem if the garage is located on the east side of the property. What bothers him about this particular plan is that the alternatives presented by the petitioner show that there is no reason for any variances. The designs on the East side will affect him drastically. What bothers him about the variance on this property is that this particular neighborhood plan is very good. He said there are 20 feet between his property and the Palmers' property and if they put a driveway in between it would look terrible.

Mr. Mike Rudnick – 807 Harriet Lane

He stated that what keeps coming up is the idea of what is "reasonable." If the Palmers must have a 2 car garage, what is reasonable for them to have? What would be the best alternative? He believes the best alternative for all involved is what the Palmers are recommending. He believes their proposal is the most reasonable.

Ms. Joan Selman 820 Harriet Lane

She believes the proposed garage addition is most in keeping with the flavor of the neighborhood. The majority of houses in the neighborhood have 2 car garages and it would be out of ordinary to run a driveway on the east side of the house to a detached garage. She believes what has been proposed is most logical and reasonable and that it will look okay visually in neighborhood.

Petitioner's rebuttal: Mr. Frommeyer commented on Ms. Pokorski's letter. He stated that when he served as Trustee, he often spoke with petitioners prior to meeting to discuss facts. He was told it was okay to contact ZBA members and that he respected their decisions not to speak with him. Mr. Frommeyer responded to the staff report - staff says there are reasonable options that will allow a 2 car garage and no loss of living space or vegetation (F3 and F4). He disagreed that there is not a unique situation the reason being the location of structure as it is. Drainage to West would not be affected in Mr. Frommeyer's opinion. The property to the west has a higher elevation. Staff does not believe it is denial of substantial rights because there are other options, but he believes there are not other reasonable options. Staff believes it will be a special privilege, Mr. Frommeyer disagrees; it does not set precedent. Proposed bump out of garage is garage to garage within Zoning Ordinance requirements for detached garages and he felt that same principle applied. Exhibits F5 and F6 violate the intent and purpose of protecting living space. The

proposal clearly has a greater impact on the property to the west. Mr. Frommeyer disagreed that there are other remedies. He disagrees that it affects the living space of the neighbors. A minor bump out has no affect on neighboring properties' living space. By meeting requirements for a variance, the proposal is appropriate.

Mr. Muran says that he believes variances should be regarded on an individual basis. All garages on the exhibits are 20 feet deep by 22 ½ feet wide. The marketability of a 2 car garage is better than that of a 1 car garage.

Mr. Dowling said that the petitioner never spoke to him before the petition was filed. He said the petitioners talked to neighbors about Exhibit F7 and said it would be less intrusive. Mr. Dowling agreed with the staff report. He believes this variation is certainly a precedent.

Mr. Palmer says that he was always trying to do the right thing and be a good neighbor, but he wants to improve the livability of his home. He still believes that what they are proposing is the best solution for his property and for his neighborhood.

Mr. Julian asked if the Palmers wanted to build a garage to back of house they could do it without a variation.

Mr. Sbiral said yes; they would need permits, etc.

Mr. Kramer asks about the location of fireplug relative to the driveway.

Mr. Sbiral says there is no problem with that as far as he knows.

Mr. Julian asked if they can legally give up their right to put in garage if they accept this variation.

Mr. Sbiral stated that it would stay with the land, they would always have that restriction, but it could be done and legally the document can be written up.

Ms. Moston said that one of the biggest issues is about reasonable alternatives for the Palmers. The only person it is really negatively affecting is Mr. Dowling.

Mr. Sbiral believes that the options were presented to prove that the other options are not reasonable. The most appropriate course for considering other options would be to continue the hearing. He stated that what was before the ZBA is the petition for variation as requested. The ZBA must look at the evidence presented by the petitioner and determine if it meets the 8 standards for granting a variation.

Mr. Julian thinks a 1 car garage is a hardship, but how big of a variation should be granted he doesn't know. He asked about the fact that the Palmers are saying they would give up the right to build a structure in the backyard that they could do today. Mr. Julian asked Mr. Dowling for his reaction.

Mr. Dowling said that his reaction is that there are other alternatives and that is not a fair question. If the petitioners gave up that right in exchange for the side yard variation, he would not agree with those terms.

Mr. Sbiral says there isn't room in the standards to make a deal. The petitioner would be eliminating some right to his property by doing that, but is also eliminating his neighbor's right by getting the variation.

Mr. Kramer asked if Exhibit F7 had been reviewed by staff.

Mr. Sbiral said that it would also require a variation and would require a different public notice.

Ms. Moston motioned to recommend denial to the proposed variations and staff's findings of fact. Motion fails for lack of second.

Mr. Julian motioned to recommend approval to request for variation with acceptance of petitioner's offer to forego right for garage in rear yard. Motion fails for lack of second.

Mr. Henehan thought the proposal presented too big of an encroachment and he would rather see alternatives. He noted that there might be a big problem in the Village and the Village might want to consider an amendment to the Zoning Ordinance.

Mr. Kramer said what if the ordinance required a smaller setback, Mr. Dowling would still have the same amount of encroachment to deal with. Mr. Kramer asked what recourse Mr. Dowling would have.

Ms. Moston still feels that property owners have the right to their property line. She did not think that a one car garage is a hardship. She noted that when one buys a home, one needs to determine if there is no chance for a 2 car garage without major reconstruction.

Mr. Kramer thought that a 2 car garage is becoming a necessary thing to have and would eliminate cars parked in the street. If the neighbor had not objected as he did, he probably would have accepted request.

Mr. Frommeyer asked the ZBA continue this matter so Exhibit F7 could be reviewed.

Mr. Henehan asked if ZBA should continue the meeting so more members could vote.

Mr. Sbiral said the ZBA would have to get more board members that were comfortable voting on the record without having heard the petition.

Mr. Kramer asked about the other alternatives and wondered if maybe there is a problem with Exhibit F7.

Mr. Sbiral stated that if the request is made by the petitioner to modify the proposal, staff would need to review the modifications to see if it meets the standards.

Ms. Moston moved to recommend denial of proposed variation. Mr. Henehan seconded.

Kramer- yes

Henehan- yes

Moston-yes

Julian- no

Motion carries 3-1.

Mr. Henehan called a 5 minute recess.

ZBA 03-07 Kohanzo Residence (540 South Cook Street)

Petitioner: Dan Kohanzo

Those speaking for this case were sworn in by Mr. Henehan.

Mr. Kohanzo stated the plan was to knock down the existing 1 car garage and replace it with 2 car tandem garage, which would need a variation. He showed a picture of the East view (front) of the garage. He stated they are looking for a variance because their lot is 55 feet wide and he considers it substandard because the Zoning Ordinance considers 60-foot wide lot standard. Mr. Kohanzo thinks the lot presents a unique situation. The neighbor behind (West) and the south neighbor are both in support of proposal. He thinks the plan is practical because 2 car garages are pretty standard now. It makes the house more marketable. He said they want to maximize space in the rear yard.

Ms. Sarah Petersen, architect, stated the existing garage is already in violation of setback regulations and the foundation is in bad shape. She noted that 2 car garages are the standard today. A detached garage must be in rear 30 feet of property according to the Zoning Ordinance and their proposal would be partially outside of the 30 feet setback. The petitioners are looking for setback of 1 foot on West and South sides. Ms. Petersen stated that one reason to go to a 2 car tandem garage was to maintain green space in the backyard, if the petitioners built a wider garage, they would have to pave more of their lot. The proposal would minimally impact street elevation on Cook

Street, keeping with style of house and historic residences on this street. The petitioner did not want to do a 2 car wide garage because of location of deck and house, makes accessibility difficult (22 feet to back out). Ms. Petersen stated that she feels that 2-car tandem garage is more in keeping with Cook Street.

Staff Report: Mr. O'Brien presented the staff report. He noted that *staff recommends denial of this proposal*.

Ms. Petersen stated that if they were not substandard they could build a garage within zoning requirements. She disagreed with staff in that a garage could be built on this property without making major changes to the deck, etc. She noted that other homes that have these kinds of garages are built closer to the front property line.

Mr. Kohanzo said they could build a 2 car side by side garage but they would have to get rid of a lot of yard space in the backyard.

Mr. Sbiral clarified the staff's opinion. He noted that the staff's primary concern is that the 1 foot does not allow one to maintain the garage.

Mr. Henahan asked if the neighbors wanted to build a fence how would the garage be maintained.

Mr. Sbiral said if that happens, either the fence or the garage cannot be maintained.

Ms. Moston said that by putting the garage in that location, they are just trying to maintain as much green space as possible.

Mr. Kohanzo stated that a side-by-side garage takes up 50% of his yard.

Ms. Moston believes if the petitioners move it over a few feet into the yard, it will not encroach as drastically into their green space.

Mr. Kohanzo says existing garage is 2 ½ feet over, which is in violation, and asked about requesting a smaller variation.

Mr. Sbiral asked if the petitioners are proposing gutters on the garage.

Ms. Petersen said yes. She noted that the whole back corner is garages.

Mr. Kramer asked how they would maintain things around the garage.

Mr. Kohanzo said that the garage has been there for 50-60 years and there is enough room to be maintained. He wants to come to a compromise that is practical.

Mr. O'Brien said that they can maintain the current garage from own property. The current garage is 7 ½ feet from the lot line, which conforms to the zoning ordinance.

Mr. Henahan asked about the number of feet they are requesting on the side.

Ms. Petersen believes 3 feet is a good compromise on the side, but that the garage might hit the corner of the house if it is pushed forward.

Ms. Moston said she thinks they like the idea but they want to make it work.

Mr. Warren Hayes (545 S. Cook)

Mr. Hayes stated that he lived almost directly across the street from Mr. Kohanzo.

Mr. Hayes stated that what they allowed him to do when he was going through this process was to maintain a wall that was too close to his neighbors. The Kohanzo presentation wanted to go a little farther. He wondered if it would be permissible to keep the same wall or keep some part of existing wall.

Mr. Sbiral said the petitioners would have to keep the entire wall.

Ms. Petersen asked for a continuance so they can provide illustrations of modifications. The petitioner will revise their plans.

Mr. Julian motioned to continue the public hearing to Septemeber 9, 2003 at 7 PM. Mr. Kramer seconded.

Mr. Julian- yes

Mr. Kramer- yes

Mr. Petersen- yes

Ms. Moston- yes

Motion carries 4-0.

ZBA 03-08 Julian Residence (331 East Russell Street)

Petitioners: John and Lynda Julian

Those speaking on this case were sworn in by Mr. Henehan.

Mr. John Julian stated that his home was built in 1933 and in the 80s there was a new foundation built. The porch at the time of the addition was meant as a temporary addition and not done as it should have been. They want to replace the porch. Exhibit E is what the architect came up with for the porch design.

Staff Report: Mr. O'Brien presented the staff report. He stated that *staff recommends denial of request for variation.*

Mr. Jeff Tiel (409 Spring Street)

Mr. Tiel believes the porch would add value to the petitioner's home and the neighborhood in general.

Mr. John Julian stated that he sent out 29 notices and got 25 back and has received no negative responses. He is not looking for a 10 ½ foot porch, rather he is seeking an eight-foot porch depth.

Mr. O'Brien stated that the porch will be 9 feet deep according to the cover letter from the petitioner. The request is for a 3 ½ foot variation.

Mr. John Julian said that there are woods on one side of the house. He thinks that the porch addition would increase residential character by making it more inviting. He noted that their porch in back is 6 ½ feet deep and is not deep enough. Mr. John Julian pointed out that at the ARC they saw a petition come through for a similar situation (Fischer's), which had 25 foot setback and the existing porch encroached by 3 ½ feet. He noted that they were granted a variation to allow encroachment to be extended along full front of house.

Mr. Sbiral said that requests are done on an individual basis. Staff's interpretation of a hardship has become a much more stringent rule.

Mr. Ryan Julian questioned the issue of minimum required. He stated that 9 feet does not seem like there was an attempt to meet minimum request for variance.

Mr. John Julian said that the depth was determined by the architect – and is what looks right and reasonable for the home. He does not think it just should be an entrance to a house, the addition should be a better investment.

Mr. Ryan Julian said he wants the porch to be smaller.

Mr. Henehan said he would think that they would want a bigger porch in back to entertain, not in the front.

Mr. John Julian said it is not big enough to have people move around.

Mr. Sbiral said that there is an open lot next door and it is likely that there will never be a house there.

Mr. John Julian said that he would be flexible on the amount of encroachment.

Mr. Ryan Julian commented again on the minimum requirement issue.

Mr. Kramer said there is a question of what is functional. He wondered how much room was needed.

Mr. John Julian questioned how much of a burden they were placing on their neighbors by building this porch. He was also looking at what is functional. Mr. John Julian said that it is a matter of what is a reasonable use of the space.

Ms. Moston asked about the scale and that it sounds pretty deep.

Mr. Sbiral stated that he spoke with the architect and the architect said that the home looks funny if the porch is too shallow.

Ms. Lynda Julian wanted to address Exhibits C and D. Exhibit C shows the front of the house and shows the railing. She commented on the elevation just to get into the house.

Mr. Ryan Julian asked about the encroachment of the stairs. He wondered if they are in front of the main body of the porch and what the distance from the house to the pillars is.

Mr. Sbiral stated that stairs are an allowable obstruction.

Mr. Ryan Julian said that with the steps there is an additional 6 feet encroachment in front of the 9 feet variation.

Mr. John Julian said that he thinks of hardship in a much narrower sense than others. He has seen a lot of people expand just because they don't want to move and he doesn't think he is asking for a lot with this proposal.

Mr. Henehan said that years ago they were not as stringent as they are today.

Mr. John Julian said that staff should analyze the variations in what they think the board would approve.

Mr. Sbiral said that over the past year the staff has approved about 50% of requests and denied 50% and the board has approved more than that.

Mr. Ryan Julian said that he thinks 9 feet is pretty generous and he doesn't know whether a 9 foot porch on a 2 ½ story house is a big deal or not.

Mr. Kramer stated that the minimum variation might be a hardship functionally. They need to think about the space.

Mr. Henehan said that with a narrow porch, the furniture would have to be arranged on the far end.

Mr. Sbiral stated that it could be a potential condition that the porch remain open.

Mr. Kramer motioned to accept the variations as stated. Ms. Moston seconded.

Mr. Ryan Julian asked what the minimum required for a porch was.

Mr. Kramer asked what the standard porch size was.

Mr. Sbiral noted that porches can range anywhere from 5 feet to 9 feet and beyond. The Fisher's porch is 9 ½ feet. Then they looked at standards from Fisher case.

Mr. Ryan Julian suggested looking at the location next to Spring Street at the unique physical condition. All agree to incorporate this change into the motion.

Kramer-yes

Moston-yes

Julian-no

Henehan-yes

Motion carries 3-1.

APPROVAL OF MINUTES OF JULY 1,2003

MOTION:

Mr. Henehan moved to make a global change of his name - misspelled on last 2 pages.

Ms. Moston moved to approve minutes of July 1, 2003 as shown with Mr. Henehan's adjustment. Mr. Kramer seconded.

Voice vote recorded all yes. Motion carries.

PLANNER'S REPORT

ADJOURNMENT

MOTION: Mr. Henehan moved to adjourn. Ms. Moston seconded. Voice vote recorded all yes.

Meeting adjourned at approximately 11:15 pm.

Respectfully submitted,
Erin Emerick
Recording Secretary

Robert Henehan, Acting Chairperson
Zoning Board of Appeals